

Meeting Summary  
**Motor Vehicle Dealer Board**  
Monday, November 14, 2022

Full Board Chair Linda Ford called the Dealer Board meeting to order at 10:34 a.m. This meeting was conducted at the Department of Motor Vehicles, 2300 W. Broad Street, Executive Conference Room 702, Richmond, Virginia. Roll call confirmed the following members being present: Jeff Ballard, Dan Banister, Tom Bates, Gardner Britt, Trevor Coley, Dennis Ellmer, David Lynn, Chris Maher, Geoff Malloy, R. J. Robinson, Nick Rush, Maurice Slaughter and Andrew Wiley. Those absent included Michael Bor, Rob Fisher and Ron Kody. Executive Director William Childress, Lisa Mack-Nelson and Ann Majors represented the Dealer Board. Christian Parrish represented the Attorney General's Office. Alice Weedon was the recording secretary.

**The September 12, 2022 meeting summary was approved.**

**PUBLIC COMMENT** – No public comment.

**STATUTORY COMMITTEE REPORTS**

**Dealer Practices Committee**

Vice-Committee Chair Andrew Wiley summarized discussions held and actions taken during the Committee Meeting.

**Review and Action: Informal Fact-Finding Conferences:**

**540 Auto and Wali Baluch #50439.** Vice-Committee Chair Andrew Wiley made the following motion: The Board has reviewed and considered the facts and evidence and the report of an informal fact-finding conference as prepared by the hearing officer concerning 540 Auto and Wali Baluch for alleged violations of Va. Code sections §46.2-1529 and 46.2-1575 (6). Based on due consideration, the Board believes that the following actions should be taken against 540 Auto and Wali Baluch: Assessed a civil penalty of \$1,150.00. 540 Auto shall be inspected by a Motor Vehicle Dealer Board field representative by December 14, 2022, and that inspection shall be satisfactory. The Board mandates that Wali Baluch hereby be assessed a civil penalty of \$1,150.00 and the 540 Auto dealership shall satisfactorily pass an inspection conducted by a Motor Vehicle Dealer Board field representative on or before December 14, 2022. Failure to comply with the Board's mandates by the required dates will result in the suspension of all licenses and certificates issued by the Board until such time the 540 Auto dealership and Wali Baluch successfully complies with the Board's mandates.

Nick Rush seconded. The motion carried unanimously.

Mr. Balach was present and spoke on his own behalf.

**NOTE:** Mr. Maher requested a substitute motion, not to find Mr. Baluch in violation of 46.2-15775 (6). Board's motion based solely on 46.2-1529, no financial assessment of or warning issued regarding 46.2-1575 (6).

**Auto City and Wali Baluch #49427.** Vice-Committee Chair Andrew Wiley made the following motion: The Board has reviewed and considered the facts and evidence and the report of an informal fact-finding conference as prepared by the hearing officer concerning Auto City and Wali Baluch for alleged violations of Va. Code sections §46.2-1529 and 46.2-1575 (6). Based on due consideration, the Board believes that the following actions should be taken against Auto City and Wali Baluch: Assessed a civil penalty of \$3,700.00. Auto City shall be inspected by a Motor Vehicle Dealer Board field representative within 30 days and that inspection shall be satisfactory. The Board mandates that Wali Baluch hereby be assessed a civil penalty of \$3,700.00 and the Auto City dealership shall satisfactorily pass an inspection conducted by a Motor Vehicle Dealer Board field representative on or before December 14, 2022. Failure to comply with the Board's mandates by the required dates will result in the suspension of all licenses and certificates issued by the Board until such time the Auto City dealership and Wali Baluch successfully complies with the Board's mandates.

Nick Rush seconded. All in favor: 12 (Ford, Maher, Ballard, Banister, Bates, Coley, Ellmer, Lynn, Malloy, Robinson, Rush, Wiley). Opposed: 2 (Britt, Slaughter). The motion carried.

**NOTE:** Mr. Maher requested a substitute motion, not to find Mr. Baluch in violation of 46.2-15775 (6). Board's motion based solely on 46.2-1529, no financial assessment of or warning issued regarding 46.2-1575 (6).

**Advantage Auto Sale, Inc. and Mohammad Elahi-Mohassel #39039.** Board Committee Vice-Chair Wiley made the following motion: The Board has reviewed and considered the facts and evidence and the report of an informal fact-finding conference as prepared by the hearing officer concerning Advantage Auto Sale and Mohammad Elahi-Mohassel for alleged violations of Va. Code sections §46.2-1533 and 46.2-1575 (2). Based on due consideration, the Board believes that the following actions should be taken against Advantage Auto Sale and Mohammad Elahi-Mohassel: Assessed a civil penalty of \$750.00. Advantage Auto Sale shall be inspected by a Motor Vehicle Dealer Board field representative by February 15, 2023, and that inspection shall be satisfactory. Mohammad Elahi-Mohassel shall successfully complete the two-day dealer operator class by May 14, 2023. The Board mandates that Mohammad Elahi-Mohassel hereby be assessed a civil penalty of \$750.00; and the Advantage Auto Sale dealership shall satisfactorily pass an inspection conducted by a Motor Vehicle Dealer Board field representative on or before February 15, 2023; and Mohammad Elahi-Mohassel shall successfully complete the two-day dealer operator class on or before May 14, 2023. Failure to comply with the Board's mandates by the required dates will result in the suspension of all licenses and certificates issued by the Board until such time the Advantage Auto Sale dealership and Mohammad Elahi-Mohassel successfully complies with the Board's mandates.

Jeff Ballard seconded. The motion carried unanimously.

**Enterprise Automotive Financial, LLC and Jassam M. Sarhan #45985.** Vice-Committee Chair Wiley made the following motion: The Board has reviewed and considered the facts and evidence and the report of an informal fact-finding conference as prepared by the hearing officer concerning Enterprise Automotive Financial and Jassam Sarhan for alleged violations of Va. Code sections §46.2-1533 and 46.2-1575 (2). Based on due consideration, the Board believes that the following actions should be taken against Enterprise Automotive Financial and Jassam Sarhan: Assessed a civil penalty of \$1,000.00. Enterprise Automotive Financial shall be inspected by a Motor Vehicle Dealer Board field representative within 30 days and that inspection shall be satisfactory. The Board mandates that Jassam Sarhan hereby be assessed a civil penalty of \$1,000.00, and the Enterprise Automotive Financial dealership shall satisfactorily pass an inspection conducted by a Motor Vehicle Dealer Board field representative on or before Dec 14, 2022. Failure to comply with the Board's mandates by the required dates will result in the suspension of all licenses and certificates issued by the Board until such time the Enterprise Automotive Financial dealership and Jassam Sarhan successfully complies with the Board's mandates.

Gardner Britt seconded. The motion carried unanimously.

Mr. Sarhan was present and spoke on his own behalf.

**El Shaddai Motors and Jose M. Trigueros #38557.** Vice-Committee Chair Wiley made the following motion: The Board has reviewed and considered the facts and evidence and the report of an informal fact-finding conference as prepared by the hearing officer concerning El Shaddai Motors and Jose Trigueros for alleged violations of Va. Code sections §46.2-1529, 46.2-1533 and 46.2-1575 (2). Based on due consideration, the Board believes that the following actions should be taken against El Shaddai Motors and Jose Trigueros: Assessed a civil penalty of \$750.00. El Shaddai Motor shall be inspected by a Motor Vehicle Dealer Board field representative by February 14, 2023, and that inspection shall be satisfactory. The Board mandates that Jose Trigueros hereby be assessed a civil penalty of \$750.00 and the El Shaddai Motors dealership shall satisfactorily pass an inspection conducted by a Motor Vehicle Dealer Board field representative on or before February 14, 2023. Failure to comply with the Board's mandates by the required dates will result in the suspension of all licenses and certificates issued by the Board until such time the El Shaddai Motors dealership and Jose Trigueros successfully complies with the Board's mandates.

Mr. Trigueros was present and requested that the civil penalty be waived, reinspection and to take the 2-day Dealer-Operator course.

Tom Bates seconded. The motion carried unanimously.

**Royal Motors and Shane Pardis #23678.** Vice-Committee Chair Wiley made the following motion: The Board has reviewed and considered the facts and evidence and the report of an informal fact-finding conference as prepared by the hearing officer concerning Royal Motors and Shane Pardis for alleged violations of Va. Code sections §46.2-1510, 46.2-1529, 46.2-1537, 46.2-1575 (2) and (3). Based on due consideration, the Board believes that the following actions should be taken against Royal Motors and Shane Pardis: Assessed a civil penalty of \$2,000.00. Royal Motors shall be inspected by a Motor Vehicle Dealer Board field representative by February

14, 2023, and that inspection shall be satisfactory. The Board mandates that Shane Pardis hereby be assessed a civil penalty of \$2,000.00 and the Royal Motors dealership shall satisfactorily pass an inspection conducted by a Motor Vehicle Dealer Board field representative on or before February 14, 2023. Failure to comply with the Board's mandates by the required dates will result in the suspension of all licenses and certificates issued by the Board until such time the Royal Motors dealership and Shane Pardis successfully complies with the Board's mandates.

R. J. Robinson seconded. The motion carried unanimously.

**Review and Action: Formal Hearing:**

**Mega Auto Outlet, LLC and Rukhsana Akbar #52929.** Vice-Committee Chair Wiley made the following motion: Based on the evidence and a report of an informal fact-finding conference as prepared by a hearing officer, the Motor Vehicle Dealer Board assessed a \$31, 250.00 civil penalty against Rukhsana Akbar; required a satisfactory inspection of the Mega Auto Outlet dealership; and required Rukhsana Akbar to successfully complete the two-day dealer operator class; and strongly recommended that Faiz Akbar successfully complete the two-day dealer operator class. Rukhsana Akbar appealed the Board's decision and requested a formal hearing that was conducted on August 30, 2022. The Board has reviewed and considered the facts and evidence and the report of a formal hearing as prepared by the hearing officer concerning Mega Auto Outlet and Rukhsana Akbar for alleged violations of Va. Code sections § 46.2-1529, 46.2-1539, 46.2-1542 (A), 46.2-1548, 46.2-1550 (2) and 46.2-1575 (6). Based on due consideration, the Board believes that the following actions should be taken against Mega Auto Outlet and Rukhsana Akbar: Assessed a civil penalty of \$28,000.00. Mega Auto Outlet shall be inspected by Motor Vehicle Dealer Board field representative by February 14, 2023, and that inspection shall be satisfactory. Faiz Akbar (General Manager) shall successfully complete the dealer-operator course by May 14, 2023. The Board mandates that Mega Auto Outlet and Rukhsana Akbar hereby be assessed a civil penalty of \$28,000.00; and the Mega Auto Outlet dealership shall be inspected by Motor Vehicle Dealer Board field representative by February 14, 2023, and that inspection shall be satisfactory; and Faiz Akbar shall successfully complete the dealer-operator course on or before May 14, 2023. Failure to comply with the Board's mandates by the required dates will result in the suspension of all licenses and certificates issued by the Board until such time the Mega Auto Outlet dealership and Rukhsana Akbar successfully complies with the Board's mandates.

Faiz Akbar was present and spoke on his own behalf.

Jeff Ballard seconded. The motion carried unanimously.

**Licensing Committee**

Committee Chair Slaughter reported quorum in place; however, no discussions or actions were on the agenda for the committee to consider.

### **Advertising Committee**

Committee Chair Wiley reported quorum in place; however, no discussions or actions were on the agenda for the committee to consider.

### **Transaction Recovery Fund Committee**

Committee Chair Maher reported quorum in place; however, no discussions or actions were on the agenda for the committee to consider.

### **OLD BUSINESS:**

**UPDATE: Dealer Portal Update** - William Childress provided the Board with an update on the Dealer Portal (Dealer Licensing System). The vendor and MVDB staff have been involved in detailed conversations recently regarding dealer plate issuance and fee calculations. System Automation's project team is visiting with the MVDB staff on November 21, 2022. During this meeting, the MVDB team will walk System's automation through our current processes. The visit will help the vendor better understand the business needs of the MVDB and dealer community.

### **Legislative Updates – VADA and VIADA**

**VADA** - Anne Gambardella reported that the VADA will have several bills, but they will not impact the Dealer Board.

**VIADA** - Alvin Melendez reported that the VIADA is not proposing any legislation this session and has nothing to report at this time.

**OLD BUSINESS FROM THE FLOOR** – There was no old business from the floor.

### **NEW BUSINESS:**

**NEW BUSINESS FROM THE FLOOR** – There was no new business from the floor.

**EXECUTIVE DIRECTOR'S REPORT** – No report.

The next meeting will be on January 9, 2023

There being no further business to come before the Motor Vehicle Dealer Board, Chair Linda Ford adjourned the Full Board meeting at 11:42 a.m.